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**UNITED STATES DISTRICT COURT
 DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

CHARLES BURTON RITCHIE,
 a/k/a Burton Ritchie,

Defendant.

2:15-CR-285-APG-EJY
 2:20-CR-164-APG-EJY

Unopposed Motion to Pay Benjamin Galecki's \$30,000 money judgment; to Release the Excess funds in the United States Treasury Suspense Account; to Vacate the Forfeiture of 260 East Flamingo Road, Unit No. 205, aka Unit No. 233, Las Vegas, NV 89169; and to Vacate the Extinguishment Order of Third-Party Petitioners' Interests in the Property

The United States respectfully moves this Court to pay Benjamin Galecki's \$30,000 money judgment for the Eastern District of Virginia; to release the excess funds in the United States Treasury Suspense Account beyond Charles Burton Ritchie's and Galecki's criminal forfeiture money judgment of \$2,534,319.62, Galecki's \$30,000 criminal forfeiture money judgment, the capital gains taxes, and the costs and the expenses of the van, \$16,287.25;¹ to vacate the forfeiture of 260 East Flamingo Road, Unit No. 205, Las Vegas, Nevada 89169;² and to vacate the Extinguishment of Third-Party Petitioners' Interests in

¹ Order of Stipulation for Entry of Order of Forfeiture as to Charles Burton Ritchie; Benjamin Galecki; ZIW, LLC; and Stephanie Ritchie (Stipulated Order), ECF No. 677, ¶¶ 17-23, 25, 30-31, 35-39.

² 260 E Flamingo Rd #205 [also known as Unit No. 233], Las Vegas, NV 89169, more particularly described as:

PARCEL I:

UNIT TWO HUNDRED THIRTY-THREE (233) ("UNIT") IN BUILDING FOUR (4) ("BUILDING") AS SHOWN ON THE FINAL PLAT OF THE MERIDIAN AT

the Property, allowing the return of 260 East Flamingo Road, Unit No. 205, Las Vegas, Nevada 89169 to Ritchie under the Stipulated Order.³

Ritchie, Stephanie Ritchie, Galecki, Ashley Jett, and others agreed to forfeit certain property and liquidate certain accounts and property to cover the in personam criminal forfeiture money judgment of \$2,534,319.62 and the aforementioned other costs and expenses under the Stipulated Order.⁴ Once the money judgments and other costs and expenses were covered, the government found it was unnecessary to liquidate 260 Flamingo to pay toward the money judgment. The government agreed to release the excess funds in the United States Treasury Suspense Account and to return 260 Flamingo to the person from whom it was seized under the Stipulated Order and forfeiture cases, law, procedures, and rules.⁵

HUGHES CENTER, FILED IN BOOK 49 OF PLATS, PAGE 40, IN THE OFFICIAL RECORDS OF THE COUNTY RECORDER, CLARK COUNTY, NEVADA ("PLAT"), AND AS DEFINED AND SET FORTH IN AND SUBJECT TO THAT CERTAIN DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR THE MERIDIAN AT HUGHES CENTER, RECORDED JUNE 1, 2005 AS INSTRUMENT NO. 0001551 IN BOOK 20050601 OFFICIAL RECORDS, CLARK COUNTY NEVADA ("THE MERIDIAN AT HUGHES CENTER DECLARATION")

PARCEL II:

TOGETHER WITH AN UNDIVIDED ALLOCATED FRACTIONAL INTEREST IN AND TO THE GENERAL COMMON ELEMENTS, AS SET FORTH IN, AND SUBJECT TO, THE PLAT AND THE MERIDIAN AT HUGHES CENTER DECLARATION.

PARCEL III:

TOGETHER WITH AN EXCLUSIVE INTEREST IN AND TO THOSE LIMITED COMMON ELEMENTS, IF ANY, APPURTENANT TO THE UNIT, AS SET FORTH IN, AND SUBJECT TO, THE PLAT AND THE MERIDIAN AT HUGHES CENTER DECLARATION.

PARCEL IV:

TOGETHER WITH A NON-EXCLUSIVE EASEMENT OF REASONABLE INGRESS TO AND EGRESS FROM THE UNIT, AND OF ENJOYMENT OF THE GENERAL COMMON ELEMENTS, AS SET FORTH IN, AND SUBJECT TO, THE PLAT AND THE MERIDIAN AT HUGHES CENTER DECLARATION, WITH ALL IMPROVEMENTS AND APPURTENANCES THEREON. APN: 162-16-810-479.

³ Stipulated Order, ECF No. 677, ¶¶ 17-23, 25, 30-31, 35-39; Order to Extinguish, ECF No. 686.

⁴ Order, ECF No. 677, ¶¶ 17-23, 25, 30-31, 35-39.

⁵ Order, ECF No. 677, ¶¶ 17-23, 25, 30-31, 35-39.

Ritchie's accountant has provided the capital gains tax as follows: \$203,000 for federal taxes and \$48,000 for Utah taxes. Stephanie agreed with these dollar amounts. They have fulfilled this term of the Stipulated Order.

The United States Treasury Suspense Account holds \$3,327,842.89 under the Stipulated order. The Stipulated Order follows: \$3,327,842.89-\$2,534,319.62 (the criminal forfeiture money judgment Ritchie and Galecki owe in Las Vegas, Nevada case) = \$793,523.27.

Next \$793,523.27-\$203,000 (for federal taxes of capital gain) = \$590,523.27.

Next \$590,523.27-\$48,000 (for Utah taxes) = \$542,523.27.

Next \$542,523.27-\$30,000 (for Galecki's criminal forfeiture money judgment in E. Dist. of Va.) = \$512,523.27.

Next \$512,523.27-\$16,287.25 (for costs and expenses of the van) = \$496,236.02.

The government moves this court to order the release of \$496,236.02. The United States will transfer the \$496,236.02 from the United States Treasury Suspense Account to an IOLTA account of attorney Shawn R. Perez under the Stipulated Order subject to "the United States Treasury offset federal payments to collect delinquent tax and non-tax debts owed to the United States and to individual states (including past-due child support)."⁶

The government moves this court to order the release \$203,000. The United States will transfer the \$203,000 from the United States Treasury Suspense Account to the United States Treasury Tax account for the capital gains taxes of Ritchie and Stephanie. They will provide the information to IRS-CI to allow the government to know where to send it.

The government moves this court to order the release \$48,000. The United States will transfer the \$48,000 from the United States Treasury Suspense Account to the State of Utah Treasury Tax account for the capital gains taxes of Ritchie and Stephanie. They will provide the information to IRS-CI to allow the government to know where to send it.

⁶ Stipulated Order, ECF No. 677, ¶ 38. See additional information concerning the Treasury Offset Program in ¶ 38.

1 The government moves this court to order the release \$30,000. The United States
2 will transfer the \$30,000 from the United States Treasury Suspense Account to the United
3 States Treasury Asset Forfeiture Fund account for Galecki.

4 The government moves this court to order the release of the \$16,287.25. The United
5 States will transfer it to cover the vendors costs and expenses.

6 The government notifies this court the \$2,534,319.62 will remain in the United
7 States Treasury Suspense Account under the Stipulated Order.

8 The government Moves this Court to vacate the following orders:

9 1. Forfeiture Order, ECF No. 455, *only* as to the forfeiture of 260 E Flamingo Rd.

10 #205 [also known as Unit No. 233], Las Vegas, NV 89169; and

11 2. Order Granting Motion to Extinguish Interest in Property, ECF No. 686.

12 Since the government will vacate the forfeiture of 260 Flamingo Road under the
13 Stipulated Order, Meridian Private Residences Homeowners Association's and the Clark
14 County Treasurer's interests that were extinguished are vacated under Fed. R. Crim. P.
15 32.2(c)(2) and the Committee Advisory notes (c)(2). This Court should vacate their
16 extinguished interest.

17 After this Court signs and the court clerk certifies this document, the government
18 will record it with the Clark County Recorder's Office to remove the Forfeiture Order as to
19 260 E Flamingo Rd. that transferred the ownership of it from Ritchie to the United States,
20 returning the property to Ritchie, lifting the lis pendens, and notice of default.

21 For the foregoing facts and reasons, this Court should grant this Unopposed Motion
22 to Pay Benjamin Galecki's \$30,000 money judgment; to Release the Excess funds in the

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1 United States Treasury Suspense Account; to Vacate the Forfeiture of 260 East Flamingo
2 Road; and to Vacate the Extinguishment of Third-Party Petitioners' Interests in it.

3 Dated: April 10, 2024.

4 Respectfully submitted,

5 JASON M. FRIERSON
6 United States Attorney

7 /s/ Daniel D. Hollingsworth
8 DANIEL D. HOLLINGSWORTH
9 Assistant United States Attorney

10 IT IS SO ORDERED

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12 
13 ANDREW P. GORDON
14 United States District Court Judge

15 DATED: April 11, 2024
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